

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

KATHLEEN BALDANZI & GERALD P.  
LONG,

On Behalf of Themselves and All Others  
Similarly Situated,

Plaintiffs,

v.

WFC HOLDINGS CORPORATION d/b/a  
WELLS FARGO BANK, N.A.,

Defendant.

Civil Action No. 1:07 cv-9551 (LTS)

MAY 20 2008

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
2008 MAY 20 PM 12:29  
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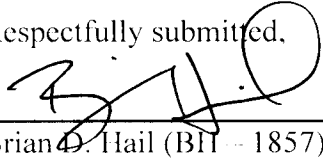
**MOTION TO ADMIT COUNSEL *PRO HAC VICE***

1. Pursuant to Rule 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, Brian D. Hale, a member in good standing of the bar of New York who is admitted to practice in the Southern District of New York, hereby move for an Order allowing the admission *pro hac vice* of James W. McGarry.
2. Mr. McGarry's address is Goodwin|Procter LLP, Exchange Place, 53 State Street, Boston, MA 02109. His e-mail address is [jmccgarry@goodwinprocter.com](mailto:jmccgarry@goodwinprocter.com). His phone number is 617-570-1332. His fax number is 617-523-1231.
3. There are no pending disciplinary proceedings against Mr. McGarry in any State or Federal court.

#652500 \$25-1

Dated: May 28, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Hail", written over a horizontal line.

Brian D. Hail (BH - 1857)  
GOODWIN PROCTER, LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
(212) 813-8800  
Fax: (212) 355-3333  
[bhail@goodwinprocter.com](mailto:bhail@goodwinprocter.com)

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**AFFIDAVIT OF SERVICE**

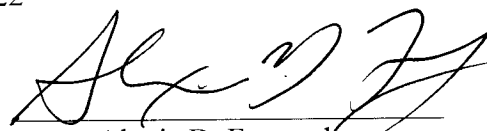
STATE OF NEW YORK                     )  
  )     ss.:  
COUNTY OF NEW YORK                )

Alexis D. Fernandez, being duly sworn, deposes and says that he is not a party to the within action, is over 21 years of age and resides in New York, New York.

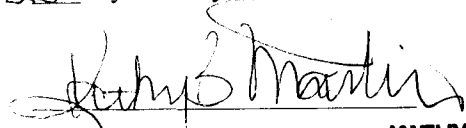
That on the 28<sup>th</sup> day of May, 2008, deponent caused true copies of the Motion to Admit Counsel Pro Hac Vice, to be served by First Class Mail, to the following:

William Robert Weinstein  
Wechsler Harwood, L.L.P.  
950 Third Avenue  
10th Floor  
New York, NY 10022

Steven Lance Wittels  
Jeremy Heisler  
Sanford Wittels & Heisler, L.L.P.  
950 Third Avenue, 10th Floor  
New York, NY 10022

  
Alexis D. Fernandez

Sworn to before me this  
28<sup>th</sup> day of May, 2008.



Notary Public

**KATHY B. MARTIN**  
**Notary Public, State of New York**  
**No. 01MA6082745**  
**Qualified in New York County**  
**Commission Expires 11/4/2010**

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**DECLARATION OF BRIAN D. HAIL IN SUPPORT OF  
MOTION TO ADMIT COUNSEL *PRO HAC VICE***

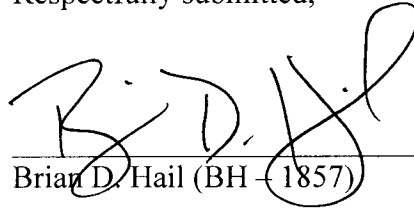
Brian D. Hail, being duly sworn, hereby states as follows:

1. I am a Partner at Goodwin|Procter LLP and counsel for the defendant in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of defendant's motion to admit James W. McGarry as counsel *pro hac vice* to represent defendant in this matter.
2. I am duly admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York.
3. Mr. McGarry is a Partner at Goodwin|Procter LLP, in Boston, Massachusetts. Mr. McGarry, a Partner at Goodwin|Procter LLP, is admitted to practice before, and is in good standing with the courts of Massachusetts, Pennsylvania and New Jersey. Attached hereto as Exhibit 1 are Certificates from the Supreme Judicial Court of the Commonwealth of Massachusetts and the Supreme Courts of New Jersey and Pennsylvania, each stating that Mr. McGarry is a member in good standing.
4. I have found Mr. McGarry to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move for the admission of James W. McGarry, *pro hac vice*.
6. I respectfully submit a proposed order granting the admission of James W. McGarry, *pro hac vice*, which is attached hereto as Exhibit A.

Dated: May 24, 2008

Respectfully submitted,



Brian D. Hail (BH - 1857)



Supreme Court of Pennsylvania

**CERTIFICATE OF GOOD STANDING**

***James W. McGarry, Esq.***

**DATE OF ADMISSION**

***December 10, 1993***

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



**Witness my hand and official seal**

**Dated: May 20, 2008**

A handwritten signature in cursive script, reading "Patricia A. Nicola", written over a horizontal line.

Patricia A. Nicola  
Chief Clerk

## COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

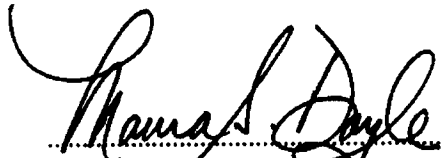
BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston within and for said County of Suffolk, on the **nineteenth** day of **December** A.D. **1996**, said Court being the highest Court of Record in said Commonwealth:

**James W. McGarry**

being found duly qualified in that behalf, and having taken and subscribed the oaths required by law, was admitted to practice as an Attorney, and, by virtue thereof, as a Counsellor at Law, in any of the Courts of the said Commonwealth: that said Attorney is at present a member of the Bar, and is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the seal of said Court, this **twenty-second** day of **May** in the year of our Lord **two thousand and eight**.



  
MAURA S. DOYLE, Clerk

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

# Supreme Court of New Jersey

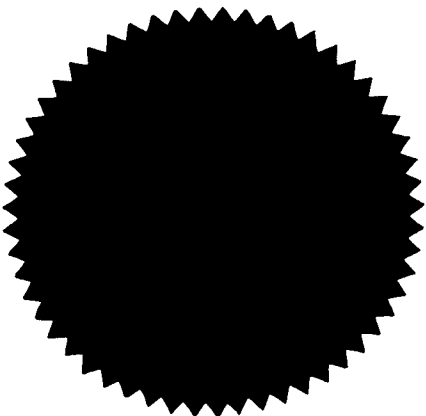


## Certificate of Good Standing

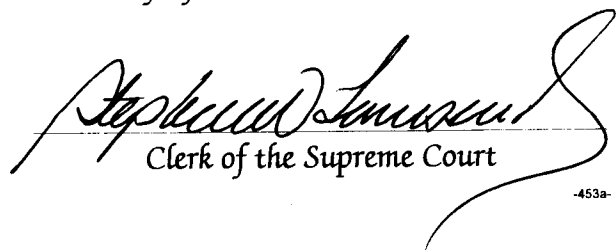
This is to certify that **JAMES W MC GARRY**  
(No. **027951993** ) was constituted and appointed an Attorney at Law of New  
Jersey on **December 21, 1993** and, as such,  
has been admitted to practice before the Supreme Court and all other courts of this State  
as an Attorney at Law, according to its laws, rules, and customs.

I further certify that as of this date, the above-named is an Attorney at Law in  
Good Standing. For the purpose of this Certificate, an attorney is in "Good Standing"  
if the Court's records reflect that the attorney: 1) is current with all assessments  
imposed as a part of the filing of the annual Attorney Registration Statement, including,  
but not limited to, all obligations to the New Jersey Lawyers' Fund for Client  
Protection; 2) is not suspended or disbarred from the practice of law; 3) has not  
resigned from the Bar of this State; and 4) has not been transferred to Disability  
Inactive status pursuant to Rule 1:20-12.

*Please note that this Certificate does not constitute confirmation of an attorney's  
satisfaction of the administrative requirements of Rule 1:21-1(a) for eligibility to  
practice law in this State.*



In testimony whereof, I have  
hereunto set my hand and  
affixed the Seal of the  
Supreme Court, at Trenton, this  
21ST day of May, 20 08

  
Clerk of the Supreme Court



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Civil Action No. 1:07 cv-9551 (LTS)

**ORDER FOR ADMISSION *PRO HAC VICE***

Upon consideration of the Motion for Admission of James W. McGarry, *pro hac vice*, it  
is

ORDERED that, pursuant to Local Civil Rule 1.3(c) of the Local Rules of this Court,  
James W. McGarry, is hereby admitted *pro hac vice* to the bar of this Court for the purpose of  
representing defendant, WFC Holdings Corporation d/b/a Wells Fargo Bank, N.A., in the above-  
captioned proceeding.

Dated: May \_\_\_\_, 2008

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UNITED STATES DISTRICT JUDGE